IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14448 of 2004

Between:

P.Shankaraiah, s/o Sri Narasimha,
r/o H.No.9-91/4, Ashok Nagar Colony, Boduppal, Hyderabad.

..... PETITIONER

AND

1 The Regional Manager, A.P.S.R.T.C., Hyderabad City Region, J.B.S., Picket, Secunderabad.
2 The Depot Manager, APSRTC, Uppal Bus Depot, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or orders more particularly one in the nature of writ of mandamus declaring the action of the respondents herein, in not releasing the 12 years Special Grade/Stagnation increment to the petitioner taking the service of 12 years in both the regions in previous and present regions, is arbitrary, illegal and consequently direct the respondents to release the 12 years Special Grade/Stagnation increment to the petitioner taking the service of 12 years in both the regions in previous and present regions and pay the arrears of salary to the petitioner duly fixing his pay from the date of his entitlement to draw stagnation increment

Counsel for the Petitioner: MR.ANDAPALLI SANJEEV KUMAR

Counsel for the Respondents .: MR.K.HARINATH

The Court at the admission stage made the following :

ORDER:

Petitioner who is working as a conductor in the respondent-Corporation contends that he has been working as a regular conductor since 18.02.1984 and he is not granted any promotion till now. He further contends that as per the circular No.PD-65/1989 dated 03.05.1989, issued by the Corporation and as per the Judgment of a Division Bench of this Court in Writ Appeal No.1301 of 2000 dated 12.10.2002, the employees of the Corporation, who have completed 12 years of continuous service, are entitled for stagnation increment irrespective of the fact that they have completed 12 years of service in one or more regions. Since the respondent-Corporation did not consider his case for release of stagnation increment, he approached this Court seeking a direction to the respondents to release the stagnation increment to him.

Therefore, in view of the representation said to have been made by the petitioner to the respondents and in view of the Judgment of a Division Bench of this Court as mentioned above, the respondents are directed to release the stagnation increment to the petitioner as per the circular No.PD-65/1989, dated 03.05.1989 after satisfying that the petitioner has completed 12 years of service and pass appropriate orders within two months from the date of receipt a copy of this order.

Writ petition is accordingly disposed of. No order as to costs.

_____

G.YETHIRAJULU,J

16-08-2004

Note: Issue C.C. by tomorrow

B/o

KLP

To

1 The Regional Manager, A.P.S.R.T.C., Hyderabad City Region, J.B.S., Picket, Secunderabad.
2 The Depot Manager, APSRTC, Uppal Bus Depot, Hyderabad.

3 2CD copies